

**MEDICAL EXAMINING BOARD
MINUTES
MARCH 16, 2011**

- PRESENT:** Carolyn Bronston; LaMarr Franklin; Jude Genereaux; Sujatha Kailas, MD; Suresh Misra, MD (arrived at 8:10); Ian Munro, MD; Gene Musser, MD; Sandra Osborn, MD; Sheldon Wasserman, MD
- STAFF:** Tom Ryan, Bureau Director; Michael Berndt, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff
- GUESTS:** Mark Grapentine, Wisconsin Medical Society; Preto Saini; Tina Schmidt; Curt Fliss; Ken Schmidt; Lenny Viatowski; Steven B. Greenman, MD; Judy Warmuth, WHA; Attorney Patricia Epstein, Bell Moore and Richter

CALL TO ORDER

Dr. Sujatha Kailas, Chair, called the meeting to order at 8:03 a.m. A quorum of eight (8) members was confirmed.

APPROVAL OF AGENDA

Amendments:

- On page 1, under PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS – add:
 - Hugo F. Goitia, MD - 10 MED 270 – Attorney Pamela Stach – Case Advisor Jerold Harter
 - Eric B. Schwietering, MD -06 MED 303 and 10 MED 167 – Attorney Sandra Nowak – Case Advisor Suresh Misra
 - Olisoji O. Oyedanya, MD – 10 MED 424 – Attorney Sandra Nowak – Case Advisor (James Conterato)
 - Dana R. Morton, MD – 10 MED 375 – Attorney Kim Kluck – Case Advisor – Jude Genereaux
- On page 3, add PRESENTATION OF STIPULATION AND INTERIM ORDER –
 - Mohammed Sethi, MD – 09 MED 289, 10 MED 202 and 10 MED 394 – Attorney Sandra Nowak – Case Advisor (Raymond Mager)
- On page 3, Item 9b is removed from the agenda – ARRA Update
- On page 3, under item 9d –Wisconsin Medical Examining Board Annual Report – January1 – December 31, 2010 – insert after page 16
- On page 3, under Item 11 – additional report from DOE – insert after page 52
- In closed session – CS-3 – DELIBERATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS – add:
 - Hugo F. Goitia, MD - 10 MED 270
 - Eric B. Schwietering, MD -06 MED 303 and 10 MED 167
 - Olisoji O. Oyedanya, MD – 10 MED 424
 - Dana R. Morton, MD – 10 MED 375

- In closed session – CS -4 – DELIBERATION OF COMPLAINTS – insert after page 304
 - 08 MED 364 – M.S.
- In closes session – add DELIBERATION OF PROPOSED STIPULATION AND INTERIM ORDER – insert after page 304
 - Mohammed Sethi, MD – 09 MED 289, 10 MED 202 and 10 MED 394
- In closed session – add ORDER GRANTING LIMITED LICENSE – insert after page 304
 - Joel D. Lueskow, PA
- In closed session - Case Closing Report and MED Board original document tracking – insert at the end of the agenda after page 344

MOTION: LaMarr Franklin moved, seconded by Gene Musser, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 16, 2011

MOTION: Sandra Osborn moved, seconded by LaMarr Franklin, to approve the minutes of February 16, 2011 as written. Motion carried unanimously.

INTRODUCTION OF NEW BOARD MEMBERS

Three board member appointments are pending at this time.

SECRETARY MATTERS

Tom Ryan relayed there is a freeze on travel requests for the remainder of 2011.

PRESENTATION OF PETITION FOR SUMMARY SUSPENSION

STEVEN B GREENMAN, MD
10 MED 370

DOE Attorney Kim Kluck presented a Petition for Summary Suspension in the disciplinary proceedings against Steven B. Greenman, MD. Dr. Greenman also appeared. This matter will be deliberated in closed session.

PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

DOE Attorneys presented Proposed Stipulations, Final Decisions and Orders in the following disciplinary proceedings:

Gope C. Hotchendani, MD	10 MED 370
Jonathan W. Thomas, MD	09 MED 040 and 09 MED 119
Mark T. Szmanda, MD	07 MED 433
Thomas J. Carlson, MD	09 MED 326

Gerhard H. Lohaus, MD	10 MED 287
John G. Schuetz, MD	08 MED 091
John M McKichan, MD	10 MED 249
Christian Reikersorfer, MD	10 MED 258
Hugo F. Goitia, MD	08 MED 270
Eric B. Schwietering, MD	06 MED 303 and 10 MED 167
Ollisoji O. Oyesanya, MD	10 MED 424
Dana R. Morton, MD	10 MED 375

These cases will be deliberated in closed session.

STIPULATION AND INTERIM ORDER

DOE Attorney Sandra Nowack presented the following:

Mohammed Sethi, MD **09 MED 289, 10 MED 202 and 10 MED 394**

This matter will be deliberated in closed session.

ITEMS FOR BOARD DISCUSSION

Speaking request – Invitation of Dr. Musser to speak to Wisconsin Psychiatric Association Conference on Maintenance of Licensure – October 22, 2011

MOTION: Sheldon Wasserman moved, seconded by Sandra Osborn, to authorize Gene Musser to speak at the Wisconsin Psychiatric Association Conference on October 22, 2011 regarding Maintenance of Licensure. Motion carried unanimously.

Other speaking requests

MOTION: Gene Musser moved, seconded by Sheldon Wasserman, to authorize Carolyn Bronston to speak to the Kiwanis Club on April 25, 2011. Motion carried unanimously.

MOTION: Sheldon Wasserman moved, seconded by Gene Musser, to authorize Ian Munro to speak to the meeting of St. Vincent and St. Mary's Hospitals in Green Bay. Motion carried unanimously.

Newsletter/Digest Feedback

The Board commented on the recent edition of the Regulatory Digest. Tom Ryan will relay the comments to David Carlson.

MEB 2011 Annual Report

The Board members briefly reviewed the report and will bring comments to the next meeting.

Physician Re-Entry

The Board discussed physician re-entry to practice and will invite Dr. Robert Steele, UW-Madison Physician Assessment Program, to speak at the April meeting.

ADMINISTRATIVE MATTERS

No report.

SCREENING PANEL REPORT

Jude Genereaux reported thirty two (32) cases were screened. Seven (7) cases were opened and two (2) ten-day letters were sent.

INFORMATIONAL ITEMS

Gene Musser reviewed legislative activity with the Board.

PUBLIC COMMENTS

No public comments.

OTHER BUSINESS

None.

RECESS TO CLOSED SESSION

MOTION: Gene Musser moved, seconded by Jude Genereaux, , to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation(s) with administrative warning(s) (Wis. Stat. § 19.85 (1) (b), and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Roll call: Carolyn Bronston-yes; LaMarr Franklin-yes; Jude Genereaux yes; Sujatha Kailas-yes; Suresh Misra-yes; Ian Munro-yes; Gene Musser-yes; Sandra Osborn-yes; Sheldon Wasserman-yes. Motion carried unanimously.

Open session recessed at 10:52 a.m.

RECONVENE IN OPEN SESSION

MOTION: Gene Musser moved, seconded by Sheldon Wasserman, to reconvene in open session. Motion carried unanimously.

Open session reconvened at 1:00 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

MOTION: Gene Musser moved, seconded by Suresh Misra, to reaffirm all motions made in closed session. Motion carried unanimously.

REQUEST FOR WAIVER OF CONTINUING EDUCATION

P.S., MD

MOTION: Gene Musser moved, seconded by Ian Munro, to deny the request for a waiver of continuing education to P.S. MD, as the individual failed to prove hardship. Motion carried unanimously.

PETITION FOR SUMMARY SUSPENSION

STEVEN B GREENMAN, MD

MOTION: Gene Musser moved, seconded by Sandra Osborn, to grant the Petition for Summary Suspension and issue the Order of Summary Suspension. Motion carried unanimously.

MOTION: Gene Musser moved, seconded by LaMarr Franklin, to find probable cause to issue a complaint in the matter of **10 MED 370**. Motion carried unanimously.

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

GOPE C HOTCHENDANI, MD
08 MED 085

MOTION: Gene Musser moved, seconded by Ian Munro, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Gope C. Hotchendani, MD. Motion carried unanimously.

JONATHAN W THOMAS, MD
09 MED 040 AND 09 MED 119

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Jonathan W. Thomas, MD. Motion carried unanimously.

MARK T SZMANDA, MD
07 MED 433

MOTION: Sheldon Wasserman moved, seconded by Ian Munro, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Mark T. Szmanda, MD. Motion carried unanimously.

THOMAS J CARLSON, MD
10 MED 310

MOTION: Sheldon Wasserman moved, seconded by Ian Munro, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Thomas J. Carlson, MD. Motion carried unanimously.

GERHARD H LOHAUS, MD
10 MED 287

MOTION: Ian Munro moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Gerhard H. Lohaus, MD. Motion carried unanimously.

JOHN G SCHUETZ, MD
08 MED 091

MOTION: Sheldon Wasserman moved, seconded by Sandra Osborn, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against John G. Schuetz, MD. Motion carried unanimously.

JOHN M MCKICHAN, MD
10 MED 249

MOTION: Sheldon Wasserman moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against John M. McKichan, MD. Motion carried unanimously.

CHRISTIAN REIKERSORFER, MD
10 MED 258

MOTION: Ian Munro moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Christian Reikersorfer, MD. Motion carried unanimously.

HUGO F GOITIA, MD
10 MED 270

MOTION: Ian Munro moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Hugo F. Goitia, MD. Motion failed with 4 yeas and 5 nays.

MOTION: Gene Musser moved, seconded by LaMarr Franklin, to issue an Administrative Warning in case **10 MED 270**. Motion carried unanimously.

ERIC B SCHWIETERING, MD
06 MED 303 AND 10 MED 176

MOTION: Ian Munro moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Eric B. Schwietering, MD. Motion carried unanimously.

OLLISOJI O OYEDANYA, MD
10 MED 424

MOTION: Sheldon Wasserman moved, seconded by LaMarr Franklin, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Ollisoji O. Oyedanuya, MD. Motion carried unanimously.

**DANA R MORTON, MD
10 MED 375**

MOTION: Gene Musser moved, seconded by Suresh Misra, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Dana R. Morton, MD. Motion carried unanimously.

**MOHAMMED SETHI, MD
09 MED 289, 10 MED 202 AND 10 MED 394**

MOTION: Sheldon Wasserman moved, seconded by Suresh Misra, to adopt the Stipulation and Interim Order for Assessment in the disciplinary proceedings against Mohammed Sethi, MD. Motion carried unanimously.

CONSIDERATION OF COMPLAINTS

08 MED 249

MOTION: Sandra Osborn moved, seconded by Sheldon Wasserman, to find probable cause to issue a complaint in the matter of **08 MED 249**. Motion carried with two nay votes.

08 MED 253 – N.M.

MOTION: Ian Munro moved, seconded by LaMarr Franklin, to find probable cause to issue a complaint as amended in the matter of **08 MED 253** against respondent N.M. Motion carried. Sheldon Wasserman abstained.

08 MED 253 – M.K.

MOTION: Jude Genereaux moved, seconded by LaMarr Franklin, to find probable cause to issue a complaint in the matter of **08 MED 253** against respondent M.K. Motion carried. Sheldon Wasserman abstained.

08 MED 398

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to find probable cause to issue a complaint in the matter of **08 MED 398**. Motion carried. Sandra Osborn and Gene Musser abstained.

09 MED 108

MOTION: Jude Genereaux moved, seconded by Suresh Misra, to find probable cause to issue a complaint in the matter of **09 MED 108**. Motion carried unanimously.

09 MED 140

MOTION: Suresh Misra moved, seconded by Carolyn Bronston, to find probable cause to issue a complaint in the matter of **09 MED 140**. Motion carried. Sandra Osborn abstained.

10 MED 294

MOTION: LaMarr Franklin moved, seconded by Suresh Misra, to find probable cause to issue a complaint in the matter of **10 MED 294**. Motion carried unanimously.

10 MED 083

MOTION: Carolyn Bronston moved, seconded by Suresh Misra, to find probable cause to issue a complaint in the matter of **10 MED 083**. Motion carried. Gene Musser abstained.

08 MED 364

MOTION: Gene Musser moved, seconded by Carolyn Bronston, to find probable cause to issue a complaint in the matter of **08 MED 364**. Motion carried unanimously.

MONITORING

JENNIFER NOLDEN, PA

MOTION: Suresh Misra moved, seconded by Carolyn Bronston, to deny the request for a stay of suspension to Jennifer Nolden, PA. Ms. Nolden cannot reapply for six months and must show six months full compliance with the Board Order. Motion carried with two nays and one abstention.

KIRSTEN D PETERSON, MD

MOTION: Ian Munro moved, seconded by Suresh Misra, to deny the request for a stay of suspension to Kirsten D. Peterson, MD. Motion carried unanimously.

CASE CLOSINGS

09 MED 395

MOTION: Carolyn Bronston moved, seconded by Suresh Misra, to close case **09 MED 395** for prosecutorial discretion (P5) with a flag should the licensee attempt to renew. Motion carried unanimously.

09 MED 387

MOTION: Suresh Misra moved, seconded by LaMarr Franklin, to close case **09 MED 387** for no violation. Motion carried unanimously.

10 MED 376

MOTION: Sandra Osborn moved, seconded by LaMarr Franklin, to close case **10 MED 376** for prosecutorial discretion. Motion carried unanimously.

09 MED 189

MOTION: Ian Munro moved, seconded by LaMarr Franklin, to close case **09 MED 189** for no violation. Motion carried. Gene Musser abstained.

09 MED 286

MOTION: LaMarr Franklin moved, seconded by Gene Musser, to close case **09 MED 286** for no violation. Motion carried unanimously.

10 MED 277

MOTION: LaMarr Franklin moved, seconded by Sandra Osborn, to close case **10 MED 277** for insufficient evidence. Motion carried with 2 nays.

10 MED 222

MOTION: Sandra Osborn moved, seconded by Ian Munro, to close case **10 MED 222** for compliance gained. Motion carried unanimously.

10 MED 288

MOTION: Carolyn Bronston moved, seconded by LaMarr Franklin, to close case **10 MED 288** for compliance gained. Motion carried unanimously.

RATIFYING LICENSES AND CERTIFICATES

MOTION: Gene Musser moved, seconded by Sheldon Wassserman, to ratify all licenses and certificates presented. Motion carried unanimously.

ADJOURNMENT

MOTION: LaMarr Franklin moved, seconded by Ian Munro, to adjourn the meeting at 1:01 p.m. Motion carried unanimously.

THE NEXT BOARD MEETING IS APRIL 20, 2011